

SENATE BILL 590

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2003 Regular Session
3r1728
CF 3r1628

By: **Senators Conway, Della, Gladden, Hughes, Jones, and McFadden**
Introduced and read first time: February 5, 2003
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Housing Authority of Baltimore City - Collective Bargaining**

3 FOR the purpose of requiring the Housing Authority of Baltimore City to recognize
4 and engage in collective bargaining with the exclusive bargaining
5 representatives of certain of its employees in certain bargaining units;
6 specifying the collective bargaining obligations of the Housing Authority of
7 Baltimore City; requiring the Housing Authority of Baltimore City to engage in
8 arbitration concerning disputes and grievances under certain circumstances;
9 requiring the arbitration to be conducted before a certain neutral labor
10 arbitrator; authorizing an arbitrator to issue subpoenas for certain purposes and
11 administer oaths to certain witnesses; providing that an arbitrator's rendered
12 decision shall be final and binding; and generally relating to collective
13 bargaining matters of the Housing Authority of Baltimore City.

14 BY adding to
15 Article 44A - Housing Authorities
16 Section 3-105
17 Annotated Code of Maryland
18 (1998 Replacement Volume and 2002 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article 44A - Housing Authorities**

22 3-105.

23 (A) (1) THE HOUSING AUTHORITY OF BALTIMORE CITY SHALL RECOGNIZE
24 AND ENGAGE IN COLLECTIVE BARGAINING WITH THE EXCLUSIVE BARGAINING
25 REPRESENTATIVES OF ITS EMPLOYEES FOR EACH OF THE FOLLOWING BARGAINING
26 UNITS:

27 (I) MAINTENANCE, HOUSEKEEPING, AND TECHNICAL;

28 (II) ADMINISTRATIVE AND CLERICAL;

1 (III) SUPERVISORY; AND

2 (IV) ANY OTHER APPROPRIATE UNITS.

3 (2) A BARGAINING UNIT IDENTIFIED IN PARAGRAPH (1) OF THIS
4 SUBSECTION MAY NOT INCLUDE EMPLOYEES WHOSE PREDOMINATE
5 RESPONSIBILITY IS TO MANAGE OR DIRECT INDEPENDENTLY THE ASSETS AND
6 AFFAIRS OF THE HOUSING AUTHORITY OF BALTIMORE CITY.

7 (B) THE DUTIES OF THE HOUSING AUTHORITY OF BALTIMORE CITY UNDER
8 SUBSECTION (A) OF THIS SECTION SHALL INCLUDE THE OBLIGATIONS TO:

9 (1) DEAL WITH AND THROUGH AN EXCLUSIVE BARGAINING
10 REPRESENTATIVE TO ADDRESS GRIEVANCES AND SETTLE DISPUTES;

11 (2) MEET AND BARGAIN IN GOOD FAITH WITH AN EXCLUSIVE
12 BARGAINING REPRESENTATIVE REGARDING WAGES, HOURS, WORKING CONDITIONS,
13 AND ALL OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR THE PURPOSE OF
14 FORMING A BINDING LABOR AGREEMENT;

15 (3) PROVIDE INFORMATION IN RESPONSE TO ANY REASONABLE
16 REQUEST FOR INFORMATION ABOUT ANY GRIEVANCE, DISPUTE, OR TOPIC RELATED
17 TO COLLECTIVE BARGAINING; AND

18 (4) DRAFT AND EXECUTE ANY LABOR AGREEMENT THAT SHALL HAVE A
19 DURATION OF AT LEAST 1 FISCAL YEAR BUT NOT EXCEEDING 3 CONSECUTIVE
20 FISCAL YEARS.

21 (C) (1) IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBSECTION, THE
22 HOUSING AUTHORITY OF BALTIMORE CITY SHALL ENGAGE IN ARBITRATION OF:

23 (I) DISPUTES OVER A TERM OR CONDITION OF EMPLOYMENT; AND

24 (II) GRIEVANCES THAT RELATE TO THE INTERPRETATION OR
25 APPLICATION OF A WRITTEN COLLECTIVE BARGAINING AGREEMENT, EMPLOYMENT
26 REGULATION, OR WORK RULE.

27 (2) THE ARBITRATION SHALL BE CONDUCTED BEFORE A NEUTRAL
28 LABOR ARBITRATOR SELECTED FROM A LIST PROVIDED BY THE FEDERAL
29 MEDIATION AND CONCILIATION SERVICE. THE LIST SHALL BE COMPOSED OF
30 IMPARTIAL ARBITRATORS WHO ARE MEMBERS OF THE NATIONAL ACADEMY OF
31 ARBITRATORS.

32 (3) THE CHOSEN ARBITRATOR MAY ISSUE SUBPOENAS TO COMPEL THE
33 PRODUCTION OF DOCUMENTS AND THE ATTENDANCE OF WITNESSES, AND MAY
34 ADMINISTER OATHS TO WITNESSES WHO APPEAR TO TESTIFY.

35 (4) THE ARBITRATOR'S RENDERED DECISION SHALL BE FINAL AND
36 BINDING, AND THE HOUSING AUTHORITY OF BALTIMORE CITY SHALL COMPLY WITH
37 THE DECISION.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2003.